

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION)	MDL No. 1456
THIS DOCUMENT RELATES TO 01-CV-12257-PBS)	CIVIL ACTION: 01-CV-12257-PBS
)	Judge Patti B. Saris
)	Chief Mag. Judge Marianne P. Bowler

**ASTRAZENECA PHARMACEUTICALS LP'S ASSENTED-TO
MOTION TO EXTEND THE DEADLINE FOR FILING ITS RESPONSE
TO PLAINTIFFS' MOTION TO COMPEL**

Defendant AstraZeneca Pharmaceuticals LP ("AstraZeneca"), through its undersigned counsel, respectfully moves this Court for an extension of time in filing its response to Plaintiffs' Motion to Compel and for Finding that Documents and Testimony Relating to AstraZeneca's Pricing, Marketing, and Sales of Its Products are Not Protected by the Attorney-Client Privilege.

1. On February 3, 2005, plaintiffs filed a Motion to Compel and for Finding that Documents and Testimony Relating to AstraZeneca's Pricing, Marketing, and Sales of Its Products are Not Protected by the Attorney-Client Privilege. Plaintiffs seek to compel the deposition of Stuart Fullerton, Senior Litigation Counsel to AstraZeneca, and seek a finding that documents relating to the pricing, marketing, or sales of AstraZeneca's products are not protected by the attorney-client privilege.

2. In light of the important issues this Motion to Compel raises regarding the privileged nature of the communications at issue, defendant AstraZeneca, by its attorneys, respectfully

moves for extension of time in which to file its response. In addition to its response, defendant AstraZeneca will also be filing a Cross-Motion for a Protective Order.

3. AstraZeneca represents that it has conferred with counsel for Plaintiffs and obtained their assent to this motion.

WHEREFORE, Defendant AstraZeneca respectfully requests that the deadline for filing its Response to Plaintiffs' Motion to Compel be extended to **February 25, 2005**.

Respectfully submitted,

ASTRAZENECA PHARMACEUTICALS LP

By its attorneys,

DATED: February 16, 2005

/s/ Jessica V. Barnett
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LOCAL RULE 7.1 CERTIFICATION

I, Monica Lamb, hereby certify that on February 14, 2005, I conferred with Kenneth Wexler, counsel for Plaintiffs, and that Plaintiffs assent to this motion.

/s/ Monica Lamb
Monica Lamb

CERTIFICATE OF SERVICE BY VERILAW

Docket No. MDL 1456

I, Jessica V. Barnett, hereby certify that on February 16, 2005, I caused the foregoing AstraZeneca Pharmaceuticals LP's Assented-To Motion to Extend the Deadline for Filing its Response to Plaintiffs' Motion to Compel to be served on all counsel of record by causing same to be posted electronically via Verilaw.

Dated: February 16, 2005

/s/ Jessica V. Barnett

Jessica V. Barnett